

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1 - 4 are pending in the application, with claims 1 and 3 being the independent claims. Claims 1 and 3 have been amended; support for this amendment is found at page 43, lines 11-22, page 44, lines 1-10, page 45, lines 8-16, and page 46, lines 1-10 of the specification, among other locations. These changes introduce no new matter, and entry is respectfully requested.

Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

***Rejections under 35 U.S.C. § 103***

The Examiner argues that claims 1-4 are obvious over U.S. Patent 5,777,761 (“Fee”) in view of U.S. Patent 6,111,675 (“Mao”). Independent claim 1 has been amended to recite that the standby-system optical transmission unit is configured to transmit transmission signals using a transmission wavelength component different from that of the operating-system transmission unit associated with a wavelength component transmission defect; and the standby-system optical receiving unit is configured to receive a receive wavelength component different from that of the operating-system receive unit associated with a wavelength component receive defect. These features are disclosed by neither Fee nor Mao. For at least this reason, amended claim 1 is not obvious given any reasonable

combination of these references.

Claim 2 depends from claim 1 and therefore includes all features thereof, including the features added by the above amendment to claim 1. Because these features are disclosed by neither Fee nor Mao, claim 2 is not obvious given of any reasonable combination of these references.

Independent claim 3 has also been amended to recite that the standby-system optical transmission unit is configured to transmit transmission signals using a transmission wavelength component different from that of the operating-system transmission unit associated with a wavelength component transmission defect; and the standby-system optical receiving unit is configured to receive a receive wavelength component different from that of the operating-system receive unit associated with a wavelength component receive defect. These features are disclosed by neither Fee nor Mao. For at least this reason, amended claim 3 is not obvious given any reasonable combination of these references.

Claim 4 depends from claim 3 and therefore includes all features thereof, including the features added by the above amendment to claim 3. Because these features are disclosed by neither Fee nor Mao, claim 4 is not obvious given of any reasonable combination of these references.

***Other Matters***

Please note that a Request for Continued Examination is being filed herewith.

Applicants: SUZUKI et al.  
Application No. 09/825,061

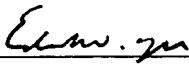
***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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